

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 08-00033
)	
Plaintiff,)	
)	
vs.)	
)	
KRYSTAL S. DELA CRUZ,)	ORDER
)	
Defendant.)	

Pursuant to the Trial Scheduling Order, the jury trial for the above-named Defendant is scheduled to commence on September 15, 2008, with a pretrial conference scheduled for September 8, 2008. See Docket No. 8.

On September 8, 2008, the parties filed a stipulation requesting the court to continue the pretrial conference until sometime after October 15, 2008, on the basis that the Defendant is being considered for the pretrial diversion program. See Docket No. 11. Because further investigation is still pending, a final determination as to whether the Defendant qualifies for pretrial diversion has not been made at this time.

Accordingly, the parties' request to continue this matter is granted, and trial herein is continued to October 28, 2008, at 9:00 a.m. Additionally, the September 8th pretrial conference is continued to October 21, 2008, at 10:00 a.m. If the Defendant is accepted into the pretrial diversion program prior to said trial date, the United States shall so notify the court and timely file the appropriate dismissal documents so as to avoid the need to summon the jurors required for trial.

Furthermore, the period of time between September 8, 2008, and October 28, 2008, inclusive, shall be excluded under the Speedy Trial Act, based on the Court's finding that the granting of a short continuance in this matter to permit the completion of the pretrial diversion investigation serves the ends of justice and outweighs the best interest of the public and the Defendant in a speedy trial.

IT IS SO ORDERED.



/s/ Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
Dated: Sep 08, 2008